

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SHEILA KAY DAVID,

Petitioner,

vs.

ANGELA MESMER,

Respondent.

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Case No. 4:14-CV-1640 JAR

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner's pro se Motion to Suspend Filing of Federal Writ of Habeas Corpus Motion Until 90 Days After State Writ of Habeas Corpus Mandate Issues. (Doc. No. 7)

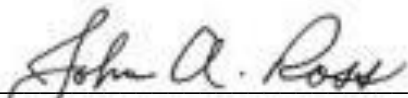
Petitioner, an inmate at the Women's Eastern Reception, Diagnostic and Correction Center, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. No. 1) On April 20, 2012, Petitioner pleaded guilty to stealing over \$20,000, a class B felony, and was sentenced to a term of twenty years in the Missouri Department of Corrections. On June 25, 2012, she filed a pro se motion to vacate, set aside or correct judgment. Counsel was appointed to represent Petitioner and an amended motion was filed on March 5, 2013. Following an evidentiary hearing on May 13, 2013, the amended motion was denied. Petitioner appealed from the motion court's judgment denying her amended motion, which judgment was affirmed. See David v. State of Missouri, 433 S.W.3d 492 (Mo.Ct.App. 2014).

In her motion, Petitioner states she did not exhaust all remedies at the State level before filing her petition under § 2254; however, upon review, there are no matters pending at the state level. If this is incorrect, Petitioner may submit further information for the Court's consideration.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's pro se Motion to Suspend Filing of Federal Writ of Habeas Corpus Motion Until 90 Days After State Writ of Habeas Corpus Mandate Issues [7] is **DENIED** without prejudice.

Dated this 2nd day of July, 2015.


JOHN A. ROSS
UNITED STATES DISTRICT JUDGE